ARTICLE I. IN GENERAL

Sec. 14-1. Keeping in city.

No person shall keep, harbor, lodge, maintain or keep under his control in the city any horse, mare, mule or other equine animal; any bull, steer, cow, calf, yearling or other horned cattle; any hog, sheep or goat; or any chickens, ducks, geese, turkeys or other domestic fowl. However, this section shall not apply to any person who keeps any such animals on a tract of 15 acres or larger.
(Ord. No. 1180, § 1, 6-23-87)

Sec. 14-2. Exotic or undomesticated animals or birds.

(a) The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

Exotic animal or bird means any species of animal or bird not natural to the locality, which is the city, and, hence, is imported from another area.

Undomesticated animal or bird means an animal or bird which has been placed in captivity from the wild state, whether or not responsive to commands of its custodian.

(b) No person shall keep, harbor, lodge, maintain or keep under his control in the city any exotic or undomesticated animal or bird without exercising reasonable care in the protection of persons from harm and in the general supervision, care, cleanliness and maintenance of such animal or bird.

(c) No person shall keep in the city any exotic bird in an open pen or yard, but any such bird shall be confined within a fully enclosed all-weather structure at all times, except for brief occasions of exercise during which such bird shall be effectively restrained from leaving the premises.
(Ord. No. 1298, §§ 1—3, 10-9-90)

Secs. 14-3—14-30. Reserved.

ARTICLE II. DOGS AND CATS*

DIVISION 1. GENERALLY

Sec. 14-31. Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

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*State law reference—Impoundment, etc., of animals running at large on streets, Code of Ala. 1975, § 11-47-110.

At large means off the premises of the owner and not under the control of the owner by a leash, chain, cord or other physical device.

Cat includes all members of the feline family three months of age and older.

Dog includes all members of the canine family three months of age and older.

Has been bitten means the same as that term is defined in Code of Ala. 1975, § 3-7-1.

Inoculation against rabies means the same as that term is defined in Code of Ala. 1975, § 3-7-1.

Owner means the same as that term is defined in Code of Ala. 1975, § 3-7-1.

Person means the same as that term is defined in Code of Ala. 1975, § 3-7-1.

Quarantine for observation of rabies means the same as that term is defined in Code of Ala. 1975, § 3-7-1.

(Ord. No. 877, § 1, 6-12-79; Ord. No. 1292, § 1, 7-10-90)

Cross reference—Definitions and rules of construction generally, § 1-2.

Sec. 14-32. Impoundment.

(a) Any dog or cat found running at large in the city shall be impounded by the public safety chief or his duly authorized agent and by him held for a period of seven days. The owner of such dog or cat, if known, shall be given notice of such impoundment. At the end of such period, if such dog or cat remains unclaimed either by the owner or by any person desiring to purchase such dog or cat, the dog or cat shall be humanely dispatched and disposed of.

(b) If the owner of the dog or cat or any purchaser desires to make redemption of the dog or cat, he must pay for the inoculation of the dog or cat if it is not already inoculated, for its board for the period during which it was impounded and $10.00 in addition, which sums shall be deposited in the general fund of the city to help defray the costs of enforcing this section. For redemption of any dog or cat following a third impoundment of the same animal, the fee of $10.00 shall be increased to $15.00.

(c) The public safety chief may at his discretion sell any dog or cat not redeemed or claimed or otherwise disposed of to any purchaser desiring such dog or cat, which purchaser must comply with this article.

(Ord. No. 877, § 4, 6-12-79; Ord. No. 930, § 1, 11-25-80)

Sec. 14-33. Running at large.

No owner of a dog or cat shall permit it to run at large at any time within the city, and any such owner who does so shall be guilty of an offense against the city. Upon conviction of this offense, such owner shall be punishable as provided in section 1-6.

(Ord. No. 690, § 7, 2-13-73; Ord. No. 877, § 2, 6-12-79; Ord. No. 1329, § 3, 8-13-91)

State law references—Power of municipalities, Code of Ala. 1975, § 3-7A-14; permitting dogs to run at large, Code of Ala. 1975, § 3-1-5.

Sec. 14-34. Rabies inoculation.

Every dog and cat kept, owned or maintained in the city shall be inoculated against rabies pursuant to and in full accord with chapter 7, title 3, Code of Ala. 1975 (Code of Ala. 1975, § 3-7-1 et seq.), particularly including Code of Ala. 1975, § 3-7-2. The owner of any dog or cat which is found running at large in the city and which has not been inoculated pursuant to this section shall be guilty of an offense against the city and, upon conviction thereof, shall be punishable as provided in section 1-6.
(Ord. No. 877, § 3, 6-12-79)

State law reference—Rabies, Code of Ala. 1975, § 3-7A-1.

Sec. 14-35. Biting animals.

The public safety chief and any person duly authorized by him shall have the right for the public health, welfare and safety to enter upon any property, including residences, kennels and garages within the city or its police jurisdiction, with the property owner's permission for the purpose of capturing any dog or cat, whether confined or not and whether wearing a proper license tag or inoculation tag, upon written complaint that a human being has been bitten by such dog or cat. Any person identified as the owner of a dog or cat involved in an incident of biting shall promptly deliver up such animal to the public safety chief, his duly designated agent, a licensed veterinarian or such officers as provided in Code of Ala. 1975, § 3-7A-9, for observation of such animal.
(Ord. No. 877, § 5, 6-12-79)

Sec. 14-36. Vicious dogs or cats.

It shall be unlawful and an offense against the city for the owner to keep in the city a vicious dog or cat, unless the dog or cat is securely confined in such manner as to prevent such dog or cat from biting a person or other animal. It shall be prima facie evidence that a dog or cat is a vicious dog or cat if it shall bite or fiercely attack any person whomever or any animal, such person or other animal at the time of such biting or attack not being on the owner's premises.
(Ord. No. 877, § 6, 6-12-79)

State law reference—Liability of owner permitting vicious or dangerous animal at liberty, Code of Ala. 1975, § 3-1-3.

Secs. 14-37—14-45. Reserved.

DIVISION 2. DOGS

Sec. 14-46. Findings and determination.

The city council finds and determines it to be in the public interest and in the furtherance of the safety, health and prosperity of the city and its citizens and an aid toward the continued

improvement of the order, comfort and convenience of the inhabitants thereof that the keeping of dogs within the city limits be further regulated as set out in this division.
(Ord. No. 690, § 1, 2-13-73)

Sec. 14-47. Offensive odors on premises.

It shall be unlawful and an offense against the city for any person to keep any dog, in any part of the city, in such manner as to cause the emission of offensive odors from the premises on which such dog is kept, thereby interfering with the comfort of persons residing in the vicinity.
(Ord. No. 690, § 2, 2-13-73)

Sec. 14-48. Noise.

It shall be unlawful and an offense against the city for any person to keep any dog, in any part of the city, which by causing frequent or long continued noise shall disturb the comfort or repose of any person residing in the vicinity.
(Ord. No. 690, § 3, 2-13-73)

Cross reference—Noise generally, § 34-52 et seq.

Sec. 14-49. Disturbances.

If the owner of any dog shall suffer or permit on his lot or premises the loud and frequent or continued barking, howling or yelping of any dog so as to annoy and disturb the neighbors, such owner shall upon conviction be punished as provided in section 1-6.
(Ord. No. 690, § 4, 2-13-73)

Sec. 14-50. Limitation on number kept.

It shall be unlawful for any person to keep or maintain at any one time more than four dogs upon the same premises within the city, unless such person shall first have applied for and obtained a kennel license from the license officer provided in section 14-51. The birth of a litter of pups shall not cause such premises to be considered a kennel unless all or some of the pups are kept on the premises beyond the age of three months.
(Ord. No. 690, § 5, 2-13-73)

Sec. 14-51. Kennel license.

(a) *Application.* An application for a kennel license shall be on a form prescribed by the city license officer and shall contain such information he deems proper, including the following:

(1) The name and address of the person responsible for operation of the kennel.

(2) The address where the kennel is to be maintained, provided that no kennel may be maintained in an area zoned R-1, R-2 or R-3.

Sec. 1-6. General penalty; continuing violations.

(a) In this section, the term "violation of this Code" means:

(1) Doing an act that is prohibited or made or declared unlawful, an offense, an offense against the city or a violation or a misdemeanor by ordinance or by rule or regulation authorized by ordinance;

(2) Failure to perform an act that is required to be performed by ordinance or by rule or regulation authorized by ordinance; or

(3) Failure to perform an act if the failure is declared a misdemeanor, an offense, an offense against the city or a violation or unlawful by ordinance or by rule or regulation authorized by ordinance.

(b) In this section, the term "violation of this Code" does not include the failure of a city officer or city employee to perform an official duty, unless it is provided that failure to perform the duty is to be punished as provided in this section.

(c) Except as otherwise provided, a person convicted of a violation of this Code shall be punished by a fine not exceeding $500.00, imprisonment or confinement at hard labor for a term not exceeding six months or any combination thereof. The penalty imposed upon a corporation shall consist of the fine only, plus costs of court. For violations of this Code that are continuous with respect to time, each day the violation continues is a separate offense.

(d) The imposition of a penalty does not prevent revocation or suspension of a license, permit or franchise.

(e) Violations of this Code that are continuous with respect to time may be abated by injunctive or other equitable relief. The imposition of a penalty does not prevent equitable relief.

State law reference—Penalty for ordinance violations, Code of Ala. 1975, § 11-45-9.

Sec. 1-7. Severability of parts of Code.

The sections, subsections, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, subsection or section of this Code shall be declared unconstitutional by the valid judgment or decree of a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, subsections and sections of this Code.

Sec. 1-8. Amendments to Code.

All ordinances passed subsequent to the adoption of this Code which amend, repeal or in any way affect this Code may be numbered in accordance with the numbering system of this Code and printed for inclusion therein or, in the case of repealed chapters, sections and subsections or any part thereof, by subsequent ordinances. Such repealed portions may be

(3) Approval in writing of the county health department of the specified premises for operation as a kennel.

(b) *Fees.* The kennel license application shall be accompanied by a fee as follows:

(1) Where the dogs are kept for sale, $50.00 per year.

(2) Where the dogs are not kept for sale, $10.00 per year.

(Ord. No. 690, § 6, 2-13-73; Ord. No. 1023, § 1, 7-12-83)

Secs. 14-52—14-60. Reserved.

DIVISION 3. CATS

Sec. 14-61. Findings and determination.

The city council finds and determines it to be in the public interest and in the furtherance of the safety, health and prosperity of the city and its citizens and an aid toward the continued improvement of the order, comfort and convenience of the inhabitants thereof that the keeping of cats within the city limits be further regulated as set out in this division.

(Ord. No. 1329, § 1, 8-13-91)

Sec. 14-62. Limitation on number kept.

It shall be unlawful and an offense against the city for any person to keep or maintain at any one time more than four cats upon the same premises within the city. The birth of a litter of kittens shall not cause such premises to be in violation of this section, unless all or some of the kittens are kept on the premises beyond the age of three months.

(Ord. No. 1329, § 2, 8-13-91)